

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

GREG SHAW,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:16-cv-00075-SCJ
)	
RUAN TRANSPORTATION)	
MANAGEMENT SYSTEMS, INC.,)	
)	
<u>Defendant.</u>)	

**CONSENT MOTION TO APPROVE FLSA SETTLEMENT
AGREEMENT**

Plaintiff and Defendant jointly move the Court to enter an order approving a settlement agreement reached between the parties in this action brought pursuant to the Fair Labor Standards Act. In support of this Consent motion, the parties state and agree to the following:

1. This is an action under the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. (“FLSA”). Plaintiff has alleged that, during his employment, Defendant violated the FLSA by failing to pay him all regular and overtime wages he was owed. Defendant generally denies Plaintiff’s allegations.
2. The parties have reached a compromise and settlement of Plaintiff’s

claims in this case in order to avoid the expense, uncertainty, and inconvenience of further proceedings. The parties have resolved all claims in this case, including any attorneys' fees and costs Plaintiff and his counsel may recover under the FLSA.

3. Plaintiff's counsel believes this is a fair settlement for Plaintiff. The amount paid to Plaintiff as wages and liquidated damages is a fair and reasonable compromise of the disputed legal and factual issues related to Plaintiff's claims. The parties engaged in extensive negotiations before arriving at the terms of the settlement, and the amount paid to the Plaintiff in this settlement also was not reduced because of the attorney fees and costs.

4. Defendant's counsel also believes the terms of the settlement are a fair and reasonable compromise of the disputed legal and factual issues in this case. Defendant disputes that Plaintiff would recover anything at trial, but believes the terms of the settlement are a fair in light of the costs and uncertainties of proceeding with litigation.

5. The parties hereby stipulate, agree, and request that the Court approve the terms of the settlement agreement executed by the parties.

6. A copy of the settlement agreement executed by the parties is attached

hereto as Exhibit A.

8. A proposed Consent Order is attached hereto as Exhibit B for the Court's consideration.

Respectfully and jointly submitted this 30th day of March, 2016.

/s/ Frank DeMelfi

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COUNSEL FOR DEFENDANT

CERTIFICATION

In accordance with Civil Local Rules 5.1C and 7.1D, I hereby certify that this document has been prepared in 14 point, Times New Roman font.

/s/ Justin R. Barnes

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RUAN TRANSPORTATION)	
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CERTIFICATE OF SERVICE

I hereby certify that on March 30, 2016, I electronically filed the foregoing
CONSENT MOTION TO APPROVE FLSA SETTLEMENT AGREEMENT
with the Clerk of Court using the CM/ECF system, which will automatically serve
the following counsel of record:

Christopher D. Vaughn, Esq.
Frank DeMelfi, Esq.
A. Brian Henson, Esq.
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Decatur, Georgia 30030

/s/ Justin R. Barnes
Justin R. Barnes